

Sheriffs

Duties of Sheriffs

Code 15.2-1609, 53.1-121

“The Sheriff shall exercise all the powers conferred and perform all the duties imposed upon Sheriffs by general law.”

Standard uniforms and motor vehicle markings are set out in the Code of Virginia for all Sheriffs’ departments. Your governing body is required to provide your department with the uniform requirements set forth in the Code of Virginia.

Code 15.2-1610,1611,1613

Additional Allowances

The Compensation Board will provide an additional allowance for physical examinations for newly hired deputies in positions reimbursed as full-time by the Compensation Board. The maximum reimbursement is set at \$100.00 per physical examination.

Compensation Board Policy

Code 19.2-328,
53.1-93 53.1-94

An additional allowance is reimbursed by the Compensation Board for guard duty. At the discretion of the court, when it becomes necessary to employ a guard for the safekeeping of a prisoner, the court establishes appropriate compensation for such guard not to exceed the hourly equivalent rate of a full-time deputy performing similar services in the locality.

Office/Vehicle Expenses

Due to budget reduction options chosen by the Virginia Sheriffs’ Association, base budget office expense funding will not be available in FY04. If funds are transferred to the office expense budget category in accordance with the FY04 Fund Transfer Policy, or if base funds become available in FY05, the following reimbursement policies will apply.

Code 14.1-80

Listed below are reimbursable office expenses:

Virginia Sheriffs' Association Dues (Sheriff Only)
VALECO dues (Sheriff Only)
Internet access costs (line charges, ISP costs or locality service charges)
Office supplies
Postage
Telephone service
Repairs to office furniture and equipment
Premiums for burglary and other insurance
Vehicle Lease or Purchase/Maintenance Expenses
Vehicle Expenses

Purchases of gasoline, tires and batteries and new vehicles may be reimbursed under this combined expense account.

Appropriation Act, Item 63

Vehicles purchased or leased using public funds on or after July 1, 2002 may not display the Sheriff's name on the exterior of the vehicle.

Non-Reimbursable Office Expenses

Compensation Board Policy

The following are not reimbursable by the Compensation Board:

Notary Public seal, fees or application
Audit services
Telephone equipment installation costs
Subscriptions to periodicals, newspapers, Code of Virginia
Name tags, desk signs, business cards, cameras
Chair mats, custom software, calculator maintenance contracts
Taxes
Weapons and ammunition

If you have any questions concerning the reimbursable nature of any expense, please call the Compensation Board **prior** to expenditure.

Emergency Correctional Officers

Consistent with the provisions of the Appropriation Act, in jails where overcrowding has been reduced, certain "Emergency" Correctional Officers (EC-7's) have been reclassified to alternative to incarceration positions or court services positions. If the sheriff's office was not due additional positions based upon staffing standards, the emergency position(s) was abolished.

Appropriation Act, Item 64

"The Compensation Board is directed to examine the current level of crowding of inmates in local jails...and to reallocate or reduce temporary positions among local jails as may be required, consistent with the provisions of this act."

Any EC-7 position(s) included in your FY04 budget were allocated to meet needs in your office due to overcrowded conditions existing in the jail facility. **All EC-7 positions are allocated on a year-to-year basis.** If overcrowding is reduced or eliminated in your jail, the position(s) will be removed in the following year's budget. Should funding not be available to the Compensation Board for emergency positions in future fiscal years, the positions will be abolished.

New Full-Time Law Enforcement Positions

Appropriation Act, Item 64

The Board is able to allocate **7** new deputy positions based upon the 1:1,500 ratio.

Emergency Medical Payments

Code 53.1-133.01
Appropriation Act, Item 67

Jails which incur emergency medical expenses for a **state** responsible felon may submit a request to the Compensation Board for reimbursement of those expenses following payment by the local government. Requests are submitted on a [CB Form-20 Rev. 5/02](#) no later than the first of November (for months May through October) and the first of May (for months November through April).

Submission of the [CB Form-20](#) includes certification of both payment

by the locality and of the facility having implemented the Department of Corrections' **Model Plan for Jail Prisoner Medical Treatment Programs**.

Medical, Treatment and Inmate Classification Positions

These positions, denoted as "PCLS", "PMED", "PREC" or "PTRT", are budgeted and reimbursed by the Compensation Board at two-thirds of their Compensation Board approved salaries.

Appropriation Act, Item 64

The salary you see on your approved FY04 Budget and in SNIP is the Compensation Board's two-thirds contribution toward the total salary. The locality is required to provide a one third salary match. Total compensation for each of these positions may not be less than the Compensation Board funding and the localities' matching third. The Compensation Board funds the Commonwealth's proportional share of the fringe benefits for these positions.

Jail Per Diem Payments

The 2003 Appropriation Act included a reduction to funding for the payment of jail per diems in FY04. If funding is not sufficient to pay fourth quarter per diem payments, available funds will be prorated.

Jail per diem rates remain unchanged. Per diem payments for those inmates arrested on a state warrant and housed in a local or regional jail will be based on \$8.00 per inmate day and will be paid in the same manner as in FY03. Localities may continue to use these per diems to operate pre-trial or alternative to incarceration programs.

Appropriation Act, Item 67

In addition to the \$8.00 per prisoner day funds an additional \$6.00 per prisoner day will be paid under certain conditions noted in the Appropriation Act.

Code 53.1-1, 53.1-84
Appropriation Act, Item 67

An additional payment of \$14.00 per prisoner day will be paid for those state responsible inmates held in beds in those facilities that have entered into a Jail Contract Bed Program with the Department of Corrections. An additional \$14.00 per

prisoner day continues to be paid for those held on jail farms.

Additional payments are **not** made for convicted felons held awaiting trial on additional charges or for convicted felons who remain incarcerated in a local facility at the request of the locality.

Appropriation Act, Item 67

Language in the Appropriation Act requires the Compensation Board to recover state funded personnel costs for the percentage of a facility's inmate population that are Federal prisoners and/or inmates from another state held by contractual agreement in proportion to jail personnel costs provided by the Commonwealth as noted in the Board's jail cost report. This recovery will be handled on LIDS and your monthly certification and approval screens will indicate the amount of recovery incurred in that month. Jails that are not owed sufficient quarterly per diem amounts against which to recover the overhead amount will be required to submit a payment to the Compensation Board in the amount that the overhead costs exceed the per diem amount.

Additionally, the Compensation Board is required to withhold per diem payments to any facility which houses more Federal inmates than they contract for holding state responsible inmates through the Department of Corrections' Jail Contract Bed Program.

Sheriffs' Salaries

Principal Officers Salary from Appropriation Act

64-A.1. The annual salaries of the Sheriffs of the several counties and cities of the Commonwealth shall be as hereinafter prescribed, according to the population of the city or county served and whether the Sheriff is charged with civil processing and court room security responsibilities only, or the added responsibilities of law enforcement or operation of a jail, or both. Execution of arrest warrants shall not, in and of itself, constitute law enforcement responsibilities for the purpose of determining the salary for which a Sheriff is eligible.

2. The salary of any Sheriff serving a county and city which operated a jail on July 1, 1998, which subsequently closed, shall not be reduced until the last day of the month in which a regional jail serving the county and city

begins to house inmates.

3. If the salary of any sheriff on July 1, 2002 exceeds the applicable amount shown below, such salary shall not be reduced.

Law enforcement and Jail

	July 1, 2003 to June 30, 2004
Less than 10,000	53,541
10,000-19,999	61,541
20,000-39,999	67,628
40,000-69,999	73,508
70,000-99,999	81,676
100,000-174,999	90,752
175,000-249,999	95,528
250,000 and above	106,142

Law enforcement or Jail

	July 1, 2003 to June 30, 2004
Less than 10,000	52,470
10,000-19,999	60,310
20,000-39,999	66,276
40,000-69,999	72,039
70,000-99,999	80,042
100,000-174,999	88,936
175,000-249,999	93,618
250,000 and above	104,550

No law enforcement or jail responsibility

	July 1, 2003 to June 30, 2004
Less than 10,000	49,301
10,000-19,999	54,778
20,000-39,999	60,865
40,000-69,999	67,628
70,000-99,999	75,143
100,000-174,999	83,491
175,000-249,999	87,885
250,000 and above	98,712

Maximum Rank Allocation

Due to budget reductions, additional funding will not be available in FY04 to provide maximum rank allocation to offices that do not currently have maximum rank.

Maximum rank allocation for Sheriffs' Offices is as follows:

Population	Function: No Law Enforcement or Jail Responsibility
0-9,999	1 Grade 10
10,000-19,999	1 Grade 10
20,000-39,999	3 Grade 9 and 1 Grade 11
40,000-99,999	3 Grade 9 and 1 Grade 12
100,000+	5 Grade 9, 3 Grade 10, and 1 Grade 12

Maximum Rank Allocation (cont.)

Population	Function: Law Enforcement or Jail Responsibility
0-9,999	1 Grade 10
10,000-19,999	1 Grade 11
20,000-39,999	3 Grade 9 and 1 Grade 12
40,000-99,999	5 Grade 9, 3 Grade 11 and 1 Grade 13
100,000+	7 Grade 9, 5 Grade 10, 3 Grade 11, and 1 Grade 14

Population	Function: Law Enforcement And Jail Responsibility
0-9,999	1 Grade 11
10,000-19,999	3 Grade 9 and 1 Grade 11
20,000-39,999	5 Grade 9, 3 Grade 10, and 1 Grade 12
40,000-99,999	7 Grade 9, 5 Grade 10, 3 Grade 11 and 1 Grade 13
100,000+	9 Grade 9, 7 Grade 10, 5 Grade 11, 3 Grade 12 and 1 Grade 14

Maximum rank allocation in jail annexes remote from the main jail facility shall be as follows:

Capacity	Rank Allocation
less than 37	1 Grade 10
38-76	3 Grade 10
77-124	5 Grade 9 and 1 Grade 11
greater than 125	5 Grade 9, 1 Grade 10, and 1 Grade 12

Staffing Standards

Compensation Board Criteria For Allocating New Positions In Sheriffs' Offices

In determining the allocations of additional positions, the Compensation Board considers the following criteria:

1. The position (or positions) must be requested by the Sheriff as part of the Compensation Board annual budget process.
2. The position requested must perform only statutorily prescribed duties for the Sheriff's office.
3. The Sheriff's office must have a PC, or be connected to the city/county system or have such systems scheduled for installation within 12 months.
4. Funds and positions must be appropriated by the General Assembly.
5. The Compensation Board will use the staffing methodology and workload criteria developed by the Virginia Sheriffs' Association (VSA) to determine the appropriate level of Compensation Board staff support for each office requesting additional positions.
6. The Compensation Board shall determine the number of additional positions to be allocated to any one office based upon criteria 1-5, inclusive, and additional positions shall be allocated in the order of percentage of need, where the offices with the highest percentage of need will receive positions first. The percentage of need is determined by calculating the percentage that the number of additional positions needed is of the total number of current positions.
7. The Compensation Board uses U. S. Census Data, or census data provided by the Weldon Cooper Center for Public Service, University of Virginia.

The methodology used to determine appropriate staffing levels in each Sheriff's office was developed by the VSA and adopted by the

Compensation Board.

Staffing Methodology

Law Enforcement

One deputy per 1500 of population, as set out in §15.2-1609.1, Code of Virginia; a minimum of 5 law enforcement deputies in any county where the sheriff provides the majority of law enforcement services, as set out in Chapter.

Dispatchers

Five dispatchers in counties where the sheriff is responsible for law enforcement and dispatching, and correctional officers do not dispatch.

Court Services

The minimum number of deputies fixed for service of process is based upon six (6) papers served per hour in all cities and in counties with a population of 100,000 and above, three (3) papers served per hour in counties with a population of 70,000 to 99,999, and two (2) papers served per hour in counties with less than 70,000 population, and 1,750 hours per year of available time per deputy.

The number of deputies fixed for courtroom and courthouse security is based upon no more than two deputies in circuit court, one in general district court, and one in juvenile and domestic relations court for criminal cases at eight hours per day per deputy when court is in session, and 1,750 hours per year of available time per deputy.

Administrative and Support Positions

The number of administrative, support or clerical positions shall be fixed at not less than one (1) position per twenty-five (25) law enforcement deputies, one (1) position per 100 inmates of average daily population in the jail, and one (1) position per ten (10) court security and process service positions. The minimum number of administrative, support or clerical positions per sheriff's department

shall be fixed at one.

Jail Deputies

Additional jail deputies for new jail construction are allocated using a ratio of not more than one (1) jail deputy for every 3.0 beds of operational capacity. Operational capacity shall be determined by the Department of Corrections. No additional jail deputies shall be provided to a local jail in which staffing exceeds this ratio unless the jail is overcrowded. "Overcrowding" (for staffing purposes only) is defined as when the yearly average daily population exceeds the operational capacity. In those jails experiencing overcrowding, the Board, upon the request of the sheriff, shall allocate a minimum of one additional jail deputy for every five average daily prisoners above operational capacity. Additional jail personnel to staff new jail capacity resulting from the renovation of existing facilities are allocated on the basis of a comprehensive analysis, exclusive of federal prisoners and inmates from other states held by contractual agreement, prepared by the Department of Corrections of the staffing requirements of such facility.

Alternative Incarceration Programs

Additional positions to staff alternative incarceration programs operated by sheriffs' offices are allocated using a ratio of not more than one (1) position for every 16 inmates participating in alternative incarceration programs approved by the Department of Corrections.

Food Service

In jails where food service is not contracted, the number of cooks shall be fixed at a minimum of one (1) cook position in jails with an operating capacity of 30 to 49 inmates, two (2) cook positions in jails with an operating capacity of 50 to 89 inmates, three (3) cook positions in jails with an operating capacity of 90 to 299 inmates, four (4) cook positions in jails with operating capacity of 300 to 499 inmates, and five (5) cook positions in jails with an operating capacity of 500 inmates and above.

Medical, Classification and Treatment Positions

The number of medical, classification, or treatment positions shall be fixed at a minimum of one (1) position per twenty-five (25) inmates, based on the yearly average daily population of inmates.

DARE Positions

When specifically funded by the General Assembly as "DARE" positions, the number of deputies fixed for the Drug Abuse Resistance Education (DARE) program shall be based upon a minimum of one (1) full-time equivalent position per ten (10) schools with fifth grade classes and one (1) full-time equivalent position per ten (10) schools with eighth grade classes, provided that the sheriff's office has entered into an agreement with the Department of State Police to participate in the DARE program.

Local Inmate Data System



The Local Inmate Data System (LIDS) is an automated system which serves two principle functions:

- 1) Reporting inmate populations for quarterly payment of per diems.
- 2) It can serve as a basic jail management package.

Beyond these basic tasks, LIDS shares inmate data - confinements, offenses and inmate demographics - among Sheriffs around the Commonwealth. A complete LIDS User Guide is available on the Compensation Board website regarding detail operating information. Other significant policy statements can be found in LIDS newsletters found elsewhere on this website.

Master Deputy Allocation

The Compensation Board will allow reclassification of up to 20% of grade 7 and 8 deputies to master deputy grade 9, for sheriffs' offices which had certified on or before January 1, 1997, having a career development plan for deputy sheriffs that meets the minimum criteria set forth by the Compensation Board.

Any Sheriff that had not certified on or before January 1, 1997, may certify at any time, with the understanding that certification must be made on or before July 1, to be effective the following July 1. Funding for any salary increases associated with reclassification to the master deputy pay grade for sheriffs' offices certifying after January 1, 1997, is contingent upon approval of additional funding by the General Assembly for this purpose.

To date, all Sheriffs' offices which certified their plans as of July 1, 1999, have been approved funding by the General Assembly for salary increases associated with reclassification to the master deputy pay grade.

The Appropriation Act authorizes the Master Deputy Program, and specifies the number of Master Deputy positions available to each sheriff's office with a certified plan. Master Deputy positions may not exceed one grade 9 Master Deputy per every five Compensation Board grade 7 and 8 positions in each sheriff's office. As the number of grade 7 and 8 positions in your office is decreased through reallocations or other means, the number of Master Deputy positions must be reduced accordingly. The Compensation Board will accomplish this action through attrition, based upon an annual review of grade 7 and 8 positions, conducted in May of each year, to be effective the following July 1st. Any office in excess of the one to five ratio will not be allowed to fill Master Deputy positions as they become vacant until the office is at the ratio set out in the Appropriation Act. Please refer to the Appendix 9 for information regarding your office.

The following related information can be found on the Compensation Board website:

[Minimum Criteria for Master Deputy Programs](#)

[FY04 Master Deputy Allocations](#)

[Master Deputy Form \(CB10-MD\)](#)

LIDS Technicians

The Compensation Board has previously approved 1 new LIDS Technician position (Corrections Officer, Grade 9) in each Sheriff's office with a jail or regional jail, to ensure data integrity and accurate financial reporting within LIDS. This program will provide for key personnel responsible for LIDS submissions to be certified and knowledgeable of legislative changes, system changes and policy changes that affect LIDS, by attending annual LIDS training provided by the Compensation Board. The objective is to ensure that data submitted in LIDS is complete, accurate and timely, and provides a useful resource for statewide decision making, as well as accurate per diem payments to localities and regional authorities.

The criteria for selection of the LIDS Technician in Sheriffs' offices and regional jails shall incorporate the following minimum criteria: 1) The selection process shall be set by the Sheriff or Superintendent; 2) The minimum length of service in the office necessary to be considered for selection shall be set by the Sheriff or Superintendent; 3) The job description and performance evaluation plan of the LIDS Technician must specifically reference LIDS duties and acceptable performance measures, and training of other LIDS users in the facility; 4) If the individual to be appointed as a LIDS Technician has not completed Compensation Board provided LIDS training in the 12 months prior to appointment, the training must be completed within 45 days after appointment; 5) The Sheriff/ Superintendent may downgrade the LIDS Technician one (1) grade level in classification and pay (equivalent of 4 steps) who does not attend one Compensation Board LIDS training session every 24 months after appointment, fails to submit timely and accurate required reports or if the jail receives a less than satisfactory LIDS audit. The Compensation Board will reevaluate the continued need for the position on an annual basis, and may remove the LIDS Technician position in the following fiscal year if required reports are not submitted timely and accurately or if less than satisfactory audit findings are not corrected; 6) The Sheriff's office or regional jail must have an employee performance evaluation plan currently in effect that meets the minimum criteria established by the Compensation Board for such plans; and 7) LIDS Technician positions shall be considered as Deputy Sheriffs or regional jail officers for pay purposes at Grade 9. (Sheriffs and Superintendents who do not wish to establish the LIDS Technician position as a Corrections Officer may request the establishment of a non-sworn LIDS Technician (LT) position, which will have the same salary and grade as a Corrections Officer, Grade 9.) Sheriffs/ Superintendents should submit [CB Form 20-LT](#), Request for the Establishment of LIDS Technician position.